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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 LUIS BERNARDINO, individually,
12 Plaintiff,

13 vs.

14 WALMART INC. f/k/a WAL-MART
15 STORES, INC. d/b/a WALMART MARKET
#4339; DOES 1 through 100 and ROE
16 CORPORATIONS 1 through 100, inclusive,
17
18 Defendants.

Case No.: 2:23-cv-00823-JCM-NJK

**STIPULATION AND ORDER
REGARDING DEFENDANT'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON CAUSATION AND
DAMAGES**

19
20 IT IS HEREBY STIPULATED AND AGREED to by and between Plaintiff LUIS
21 BERNADINO ("Plaintiff"), by and through his attorneys of record, FARHAN R. NAQVI, ESQ.
22 and ELIZABETH E. COATS, ESQ. of the law firm NAQVI INJURY LAW, and Defendant
23 WALMART, INC. f/k/a WAL-MART STORES, INC. d/b/a WALMART MARKET #4339
24 ("Defendant"), by and through its attorney of record, TABETHA A. MARTINEZ, ESQ. and
25 SUSAN E. GILLESPIE, ESQ. of the law firm BURGER, MEYER, & D'ANGELO, LLP, as
26 follows.
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- 1 1. IT IS HEREBY STIPULATED AND AGREED that Plaintiff will not assert that his left
2 shoulder was injured as a result of the subject incident at the time of trial and will not seek
3 the medical specials related thereto.
- 4 2. IT IS HEREBY FURTHER STIPULATED AND AGREED that Plaintiff will remove the
5 \$95,787.00 for treatment to his left shoulder from the computation of damages in
6 Plaintiff's disclosure pursuant to F.R.C.P. 26(a)(1)(A)(iii).
- 7 3. IT IS HEREBY FURTHER STIPULATED AND AGREED that Plaintiff will continue to
8 pursue the other damages asserted by him in this matter and that this stipulation does not
9 apply to any such claims for damages.
- 10 4. IT IS HEREBY FURTHER STIPULATED AND AGREED that Defendant withdraws
11 *Defendant's Motion for Partial Summary Judgment on Causation and Damages* filed on
12 April 10, 2025 [Doc. ID 39], with each party to bear their own attorney's fees and costs
13 related thereto.

14 DATED this 1st day of May, 2025.

DATED this 1st day of May, 2025.

15 NAQVI INJURY LAW

BURGER, MEYER & D'ANGELO, LLP

16 /s/ Elizabeth E. Coats

/s/ Susan E. Gillespie

17 FARHAN R. NAQVI
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Nevada Bar No. 14237
SUSAN E. GILLESPIE, ESQ.
Nevada Bar No. 15227
999 Corporate Drive, Suite 225
Ladera Ranch, California 92694
Attorneys for Defendant

24 **IT IS SO ORDERED:**

25 *James C. Mahan*
26 UNITED STATES DISTRICT COURT JUDGE

27 DATED: May 2, 2025
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